

UNITED STATES DISTRICT COURT

FILED

for the
Eastern District of North Carolina

NOV 24 2015

JULIE RICHARDS JOHNSTON, CLERK
US DISTRICT COURT, EDNC
BY *[Signature]* DEPUTY

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 7720 Zebulon Rd., Youngsville, NC 27596
)
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)
)

Case No. 5:15-MJ-02210-RN

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location): 27720 Zebulon Rd., Youngsville, NC 27596 (as described in Attachment A incorporated herein)

located in the Eastern District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

A firearm, described as a rifle, possibly of .22 caliber, with wooden stock (as described in Attachment B incorporated herein)

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Prohibited person (convicted felon) unlawfully in possession of a firearm

The application is based on these facts:

See Attached Affidavit, incorporated herein.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Craig W. Noyes, Special Agent of the FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/23/2015



Judge's signature

Robert T. Numbers, II, U.S. Magistrate Judge

Printed name and title

City and state: Raleigh, North Carolina

AFFIDAVIT

Your affiant, **Special Agent Craig W. Noyes**, of the Federal Bureau of Investigation (FBI), Raleigh Resident Agency, having been duly sworn, state the following:

1. I am a duly appointed Special Agent (SA) of the FBI and have been employed as such for the past eight (8) years. Your affiant is currently assigned to the Charlotte Division, Raleigh Resident Agency, Raleigh, North Carolina, to investigate violations of federal law. Your affiant is primarily assigned to investigate matters involving domestic terrorism, including those laws relating to the federal firearms violations below. Your affiant has conducted investigations which have resulted in the arrest and conviction of several individuals for violations related to the unlawful possession of firearms. Furthermore, your affiant has conducted, as well as assisted other law enforcement officers, with physical surveillance, search warrants, and arrests of persons involved in weapons violations in relation to potential and actual acts of domestic terrorism. Between 2002-2007, prior to joining the FBI as a special agent, your affiant practiced law in the State of North Carolina as a licensed attorney.

2. This affidavit is submitted in support of a search warrant for 7720 Zebulon Rd., Youngsville, NC 27596 (subject premises) in order to seize a firearm, further described in Attachment B as a rifle, possibly of .22 caliber, with a wooden stock, possessed by TRAVIS EUGENE HODGES who is believed to be a convicted felon unlawfully in possession of a firearm in violation of 18 U.S.C. § 922(g)(1).

3. The information contained in this affidavit is based on my knowledge of the facts and evidence obtained during the FBI's investigation of HODGES and comes from my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses. Since this affidavit is being submitted for the purpose of establishing probable cause for the issuance of an arrest warrant, I have not included each and every fact known to me concerning this investigation, and have set forth only those facts I believe are necessary for said purpose.

PROBABLE CAUSE

4. Based on the following information, your affiant has become aware that TRAVIS EUGENE HODGES (HODGES) is a convicted felon:

a. On 3/10/1987, HODGES was convicted of Possession With Intent to Sell/Deliver Marijuana, a Class I Felony, in

violation of North Carolina General Statute 90-95(a). The conviction occurred in Wake County under docket number 86CRS 30694. HODGES received 10 years in state prison, however, that sentence was suspended and he was placed on supervised probation for a period of 3 years.¹

b. On 3/11/1987, HODGES was convicted of the Sale/Delivery of Marijuana, a Class H Felony, in violation of North Carolina General Statute 90-95(a)(1). This is a Wake County conviction under docket number 86CRS 79027. HODGES received 3 years confinement for this conviction.

c. On 3/10/1992, HODGES was convicted of Trafficking LSD, a Class D Felony, in violation of North Carolina General Statute 90-95 (H). The conviction occurred in Wake County under docket number 91CRS 82588. HODGES was sentenced to 25 years confinement for this conviction.

d. On 1/30/2007, HODGES was convicted of Larceny After Breaking and Entering in violation of North Carolina General Statute 14-72(B)(2). The conviction occurred in Franklin County under docket number 06CRS 113422. HODGES was sentenced to 18-22 months confinement for this conviction.

¹ Additionally, HODGES was found guilty of Maintaining a Store, Dwelling, Vehicle, Boat or Other Place For the Use, Storage, or Sale of Controlled Substances, a Class I felony. This was Wake County case number 86CRS 66410 and was consolidated under case 86CRS 30694.

e. On January 30, 2007, HODGES was convicted of Eluding Arrest With a Motor Vehicle, a Class H Felony, in violation of North Carolina General Statute 20-141.5(B). The conviction occurred in Wake County under docket number 07CR 3901. Hodges received 20-24 months in prison for this conviction.

5. On 11/23/2015, members of the FBI's Joint Terrorism Task Force (JTTF) interviewed HODGES at his residence, 7720 Zebulon Rd., Youngsville, NC, regarding threatening messages he had sent via social media to engage in violence on specific persons. During this non-custodial interview, HODGES voluntarily stated that an unknown individual or group, possibly affiliated with the "Illuminati," was sending him messages via his telephone, internet and television. HODGES was asked if he maintained any protection against this unknown entity, and he initially stated he relied on his Bible and the word of God for protection. He went on to note that he was a convicted felon and was unable to possess a firearm, but stated, "We also have a rifle that we shoot squirrels with." HODGES said the firearm was owned by his step-father who also resides with him at the residence.

6. HODGES stated the rifle was in the room in which the interview was being conducted and pointed to its location. An FBI Special Agent observed a firearm leaning against the wall

approximately 10 feet away. This Agent described it as a rifle, possibly of .22 caliber, with a wood stock.

7. The rifle observed by the FBI Special Agent was in plain sight, and was being stored in a common area frequently utilized and accessed by HODGES.

8. Based on the characteristics of the firearm observed, your affiant believes that it is unlikely that this weapon was manufactured within the State of North Carolina and therefore it is likely that it was shipped or transported in interstate or foreign commerce prior to being received and possessed in North Carolina.

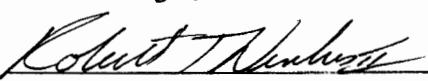
Conclusion

9. Based on the foregoing, your affiant respectfully asserts that there is probable cause to believe there is evidence of HODGES being a prohibited person (convicted felon) in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and that this evidence will be found at the residence at 7720 Zebulon Rd., Youngsville, NC.



Craig W. Noyes
Special Agent, FBI

Subscribed and sworn to before me this 23rd Day of November 2015,
at Raleigh, North Carolina.



Robert T. Numbers, II
U.S. Magistrate Judge

ATTACHMENT A

PROPERTY TO BE SEARCHED

The Location of: 7720 Zebulon Rd., Youngsville, NC 27596 is a mobile home in Youngsville, NC. The residence is one story, with a white front. Areas to be searched specifically include any common areas of the residence accessible by HODGES (e.g., kitchen, living room, family room, etc.) and any personal space he may possess (e.g. his designated room and/or sleeping space).

ATTACHMENT B

PROPERTY TO BE SEARCHED AND/OR SEIZED

This warrant authorizes (i) the search of the property identified in Attachment A for only the following and (ii) authorizes the seizure of the item listed below only to the extent it constitutes the following:

- a) Evidence of violations of Title 18, United States Code, Section 922(g)(1) ("subject violation"); or
- b) Any item constituting contraband due to the subject violations, fruits of the subject violations, or other items possessed whose possession is illegal due to the subject violations; or
- c) Any property designed for use, intended for use, or used in committing any subject violations.

Subject to the foregoing, the item authorized to be seized include the following:

A firearm, described as a rifle, possibly of .22 caliber, with wooden stock